

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.243 OF 2007
IN
LETTERS PATENT APPEAL NO. 106 OF 2007
IN
WRIT PETITION NO.5676 OF 2006

Executive Engineer,
Maharashtra Rajya Vidyut
Mandal.

..... Applicant/Appellant

V/s

Smt. Lata Dhondiba Shirke

..... Respondent.

Mr. L.M. Acharya i/b Mr. Shailesh Acharya for the applicant.

Mr. P.J. Pawar for the respondent.

CORAM : D.K. DESHMUKH &
V.M. KANADE, JJ.

DATE : 19th November, 2007.

P.C.:

1. This Civil Application has been taken out by the original appellant for restoration of the L.P.A. The L.P.A was dismissed for non-prosecution when it was fixed for admission before the Court. Therefore, in order to find out whether there is any substance in the appeal, we heard the learned Counsel for the appellant. Perusal of the order of

the learned Single Judge shows that only one contention was advanced before the learned Single that the respondent was engaged on contract. The learned Single Judge has observed that there is no contract produced. There is no evidence led that the respondent was a contract employee. The learned Counsel is also not able to show us any evidence led by the appellant in relation to the contract.

2. In this view of the matter, we find no substance in the appeal. Therefore, in our opinion, it will be futile to restore the appeal. Civil Application is disposed of.

(D.K. DESHMUKH, J.)

(V.M. KANADE, J.)

